

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

Robert Virgil Johnson
237 Edwards Road
Sanford, NC 27332

Sandra Marie Johnson
237 Edwards Road
Sanford, NC 27332

SS# xxx-xx-6641

SS# xxx-xx-8385

Debtor(s)

Case No. _____

Chapter 13

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on February 2, 2016 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$2,755.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs**1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **100.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Internal Revenue Service	\$3,948.51
Lee County Tax Office	\$0.00
NC Department of Revenue	\$1,735.79

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Freedom Mortgage Corp	237 Edwards Road Sanford, NC 27332 Lee County Stick Built Home + 4.340 acres	R	Y	\$1,322.79	\$0.00	T

2. Personal Property Secured Claimsa. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Service Credit Union	2009 Jeep Wrangler 100,000 miles	\$6,622.00	Y	\$0.00	\$66.22	\$125.73	5.25%
W S Badcock Corporation	Living Room Set + Bunkbeds + Mattresses	\$1,890.00	Y	\$0.00	\$0.00	\$35.88	5.25%
Wells Fargo Dealer Services	2009 Dodge Ram 1500 Quad Cab 100,000 miles	\$16,020.00	Y	\$4,259.00	\$160.20	\$304.16	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
United Consumer Financial Services	Kirby Vacuum Cleaner
Vanderbilt Mortgage	1998 Doublewide Mobile Home Location: 15 NE Kentucky Ave Winnabow, NC; Debtor's mother is the co-signer and is the resident of the property. Co-Signer responsible for making payments Debtor surrenders, all right, title and interest
Wells Fargo Home Mortgage	21147 Hideaway Lane Saint Robert, MO 65584 Pulaski County

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 100 %.

VII. Executory Contracts/Leases

a. ☒ None

b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

a. ☒ None

b. Other classes of unsecured claims and treatment

c. Other Special Terms

Date: **February 2, 2016**

/s/A.B. Harrington III

A.B. Harrington, III 1913

Attorney for the Debtor

Address: **Post Office Box 1072
311 North Horner Boulevard
Sanford, NC 27331-1072**

Telephone: **(919) 775-3447**

State Bar No. **1913**

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**Robert Virgil Johnson
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SS# xxx-xx-6641SS# xxx-xx-8385

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**NOTICE TO CREDITORS
AND
PROPOSED PLAN**

Case No. _____

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402**

**Richard M. Hutson, II
Chapter 13 Trustee
Durham Division
Post Office Box 3613
Durham, NC 27702-3613**

**AAFES/Mil Star/Exchange
Attn: Managing Agent
c/o Creditors Bankruptcy Service
PO Box 740933
Dallas, TX 75374**

**Carolina Lease Management Group
Attn: Managing Agent
2726 Viar Road
Halls, TN 38040**

**Chase Card
Po Box 15298
Wilmington, DE 19850**

**Credit First/CFNA
Bk13 Credit Operations
Po Box 818011
Cleveland, OH 44181**

**Fingerhut
6250 Ridgewood Rd
St Cloud, MN 56303**

**Freedom Mortgage Corp
Attn: Managing Agent / Officer
10500 Kincaid Dr
Fishers, IN 46037**

**Harris & Harris, Ltd
111 W Jackson Blvd
Suite 400
Chicago, IL 60604**

**Reginald S. Hinton
Process Agent for NC Depart. of Revenue
Post Office Box 2500
Raleigh, NC 27640-5000**

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101

Lee County Tax Office
Attn:Bankruptcy
Post Office Box 1968
Sanford, NC 27331-1968

NC Department of Revenue
Office Services Division
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Optimum Outcomes
Attn: Managing Agent / Officer
421 Fayetteville St Ste 600
Raleigh, NC 27601

Service Credit Union
Attn: Managing Agent / Officer
90 S Main St.
Rochester, NH 03867

Synchrony Bank/Care Credit
Attn: bankruptcy
Po Box 103104
Roswell, GA 30076

Synchrony Bank/Gap
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076

Synchrony Bank/Lowes
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076

Trac/cbsd
Po Box 6500
Sioux Falls, SD 57117

UNC Physicians
Attn: Managing Agent / Officer
Po Box 602948
Charlotte, NC 28260

United Consumer Financial Services
Attn: Managing Agent / Officer
865 Bassett Rd
Westlake, OH 44145

US Attorney's Office Middle District
101 South Edgeworth Street, 4th floor
Greensboro, NC 27402-1858

USAA Federal Savings Bank
10750 Mcdermott Freeway
San Antonio, TX 78288

Usaa Savings Bank
Po Box 47504
San Antonio, TX 78265

Vanderbilt Mortgage
Attn: Bankruptcy Dept
P.O. Box 9800
Maryville, TN 37802

W S Badcock Corporation
Attn: Managing Agent
PO Box 232

Mulberry, FL 33860

Wells Fargo Home Mortgage

Written Correspondence Resolutions

Mac # X 2302-04e Po Box 10335

Des Moines, IA 50306

Date: **February 2, 2016**

/s/ A.B. Harrington III

A.B. Harrington, III 1913